

OCT. 25. 2007 2:43PM

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PART B - FEES, TRANSMISSION

NO. 2753 P. 1/3

Complete and send this form, together with applicable fee(s), to: Mail Mall Stop ISSUE FEE  
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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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1933 7590 10/10/2007  
FRISHAUF, HOLTZ, GOODMAN & CHICK, PC  
220 Fifth Avenue  
16TH Floor  
NEW YORK, NY 10001-7708

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

B. Villani	(Depositor's name)
<i>B. Villani</i>	(Signature)
via fax 10/25/07	
(Date)	

10/26/2007 FNETEK12 00000003 10805618

01 FC:1501	APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
	10/805,618	03/18/2004	Tooru Hishiyama	04149 /LH	2133

TITLE OF INVENTION: CRUSHING CONTROL APPARATUS FOR SHEARING CRUSHER

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$0	\$1400	\$1440	01/10/2008
					\$40	

EXAMINER	ART UNIT	CLASS-SUBCLASS
FRANCIS, FAYE	3725	241-036000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).  
 Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list  
 (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 \_\_\_\_\_  
 2 FRISHAUF, HOLTZ,  
 GOODMAN & CHICK, P.C.  
 3 \_\_\_\_\_

## 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Komatsu Ltd.

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Tokyo, Japan

Please check the appropriate assignee category or categories (will not be printed on the patent):  Individual  Corporation or other private group entity  Government

## 4a. The following fee(s) are submitted:

Issue Fee  
 Publication Fee (No small entity discount permitted)  
 Advance Order - # of Copies \_\_\_\_\_

## 4b. Payment of Fee(s): (Please first reapply any previously paid Issue fee shown above)

A check is enclosed.  
 Payment by credit card. Form PTO-2038 is attached.  
 The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 06-1378 (enclose an extra copy of this form).

## 5. Change in Entity Status (from status indicated above)

 a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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Authorized Signature \_\_\_\_\_

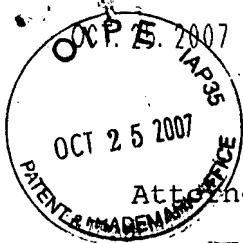
Date 10/25/07

Typed or printed name Leonard Holtz

Registration No. 22,974

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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NO. 2753 P. 2/3

Attorney Docket No. 04149/LH.

**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Applicant(s): T. HISHIYAMA

Serial No. : 10/805,618

Filed : March 18, 2004

For : CRUSHING CONTROL APPARATUS,  
FOR SHEARING CRUSHER

Art Unit : 3725

Examiner : F. Francis

**SUBMISSION OF BALANCE OF  
ISSUE FEE PAYMENT DUE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R :

The Issue and Publication Fees for this application were previously paid on May 10, 2007 in the amount of \$1703.

The application was withdrawn from issue and a new Notice of Allowance was issued on October 10, 2007.

Since the Issue Fee payment is now \$1440, submitted herewith is form PTO-2038 for \$40 which is the balance due for this application.

Authorization is given to charge any additional fees which may be required or to credit any overpayment, to Deposit Account No. 06-1378.

Respectfully submitted,

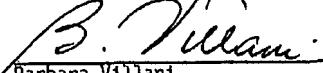
Leonard Holtz  
Reg. No. 22074

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LH/bv

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**TOTAL PAGES:**

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Barbara Villani

Dated: October 25, 2007

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee to Account No. 06-1378.